

REMARKS

The Official Action of September 15, 2008, and the prior art applied therein have been carefully reviewed. The claims in the application are now only claims 1-4, whereby the present application should now be in condition for a formal allowance consistent with what is stated in the Official Action. Favorable consideration and early formal allowance are respectfully requested.

Acknowledgement by the Patent and Trademark Office of the receipt of applicants' papers filed under §119 is noted.

Claims 1, 6, 7, and 9 have been rejected under the second paragraph of §112. The rejection is respectfully traversed.

Claims 6, 7, and 9 have been deleted without prejudice, so applicants need not address this rejection at the present time with respect to those claims.

As regards claim 1, an appropriate amendment has been made to place claim 1 in better form for US prosecution. It is clear that the amendment to claim 1 adds no limitations to the claim, and of course none are intended.

Withdrawal of the rejection is in order and is respectfully requested.

Claims 5-17 have been rejected under §103 as obvious from Strashun USP 2,959,486.

Claims 5-17 have been deleted without prejudice to applicants' rights to pursue these and/or similar claims in a continuing application without any penalty whatsoever, if applicants choose to do so, in such a case applicants relying on their rights including those provided by §120 and §119. Thus, no dedication, disclaimer, abandonment, waiver, forfeiture, renunciation or concession is intended by the deletion of claims 5-17 at the present time.

Claims 10-17 have been rejected as obvious under §103 from Succar et al. WO 03/024243.

Again, these claims have been deleted without prejudice to applicants' rights, as indicated above, and therefore applicants need not address this rejection at the present time.

Claims 1-4 have been indicated as being "allowable... .". From such commentary, in addition to the fact that claims 1-4 have not been rejected on the basis of any prior art, applicants understand that these claims are deemed by the Patent and Trademark Office to define a novel and unobvious subject matter under §102 and §103, and applicants are proceeding in reliance thereon.

Appln. No. 10/525,064
Amendment dated March 16, 2009
Reply to Office Action dated September 15, 2008

Applicants believe that all issues raised in the Official Action have been addressed above in a manner that should lead to patentability of the present application. Favorable consideration and early formal allowance are respectfully requested.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By



Sheridan Neimark
Registration No. 20,520

SN:tg

Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\P\Pyer\Zelkha6\Pto\2009-03-16 AMD FRM.doc